

**Fleming County Project Development Board  
201 Court Square, Courthouse Annex  
Flemingsburg, KY 41041  
Record of Regular Meeting Minutes  
October 2, 2007, 5:00 pm Eastern**

The meeting was called to order at 5:07 pm by Chairperson CJE Larry H. Foxworthy. Roll Call was completed as noted below:

**Present:** Michael Kier, Project Manager, AOC  
W. Todd Walton II, District Judge, 19<sup>th</sup> District  
Larry H. Foxworthy, Fleming County Judge Executive  
Pam Lowe, Fleming County Circuit Clerk  
Marvin W. Suit, Attorney  
Louie Flanery, Mayor of Flemingsburg  
David DeAtley, Magistrate District 2  
J. Scott Brown, General Manager of Auditing Services, AOC  
Stockton B. Wood, Circuit Judge, 19<sup>th</sup> Judicial Circuit

**Old Business:**

**Item 1.a.                    Approval of Minutes**

A motion to approve Minutes of September 4, 2007 with an amendment to read: Polling of board members to nominate a third candidate for construction management services presentations was conducted on September 5, 2007. Alliance Corporation was selected by a vote of Seven (7) – yeas and one (1) - abstain. Motion by David DeAtley. Seconded by Mayor Louie Flanery.

**Item 1.b.                    Approval of Minutes**

A motion to approve minutes of September 18, 2007 meeting. Motion by Marvin Suit. Seconded by David DeAtley.

**Engagement Letter with Peck, Schaffer and Williams**

AOC is awaiting revision to the Engagement letter submitted for approval by Peck, Schaffer and Williams. Item was tabled until next regular meeting.

**Item 1.c.                    Construction Management Services Presentations**

The selected construction management firms were in attendance to present qualifications to members of the Fleming County Project Development Board. Codell Construction Management, represented by Jim Codell and Trace Creek Construction, Inc., represented by Sam Howard, were present and available for questions and comments. Alliance Corporation notified the PDB their withdrawal of their proposal and declined the opportunity give a presentation on September 10, 2007. All presentations were held in accordance with the Administrative Procedure Part X.

The board discussed each proposals/presentation and qualifications of each agency. Judge Todd Walton has abstained from voting on the CM selection due to a conflict of interest.

Each board member selected their choice and delivered to the secretary of the board. The votes were tallied with Trace Creek Construction, Inc. received 6 yeas and Codell Construction Management received 1 yea. A letter of recommendation will be drafted to

AOC to accept Trace Creek Construction, Inc. for construction management services for the Fleming County Judicial Center. Upon approval from AOC, the appropriate agencies will be contacted.

**Item 1.d.**

**Architectural/Engineering Update from Brandstetter Carroll**

Michael Carroll, Pat Hoagland and Eric Chambers were present to update the board members of site evaluations to include relation to existing courthouse, building height, site slope, public plaza space, property values and parking. A report of assessed values of potential judicial center sites were given to board and discussed at length. Each site example was discussed regarding the elevation of the building if it resides on the hill, the number floors, utility clearance, green space, historical concerns and parking availability. There was no deadline set for accepting site proposals. Brandstetter suggested to the board to short list potential sites.

**Item 1.e.**

**Financial Services Update from Ross, Sinclaire and Associates**

Amanda Ross Clevenger was present had no new information to report.

**Claims Report**

The total amount of claims to date for the PDB is \$ 3,475.70. A motion was made to approve the claims report. Motion by Judge Stockton Wood. Seconded by Mayor Louie Flanery.

**New Business:**

**Item 2.a.**

**Public Comments:**

Mr. Larry Breeze of Breeze Real Estate Agency, broker for L & M Enterprises, Inc. addressed the board regarding the proposal in the amount of \$ 443,250 for 1.97 acres located on the Flemingsburg Bypass submitted on August 7, 2007. Mr. Breeze delivered a letter dated October 1, 2007 to all board members that L & M Enterprises would offer the same 1.97 acre parcel free of charge for the judicial center site.

The public expressed concerns regarding the exterior design of the building, downtown revitalization efforts, economic impact and historical interests.

**Other:**

Board members discussed the need for a special call meeting to receive an update from Brandstetter Carroll regarding site proposals. A meeting will be conducted on October 17, 2007 at 7:00 PM Eastern Time at the courthouse annex building.

**There will be a Special Call Meeting on October 17, 2007 at 7:00 PM Eastern Time at the Fleming County Courthouse Annex.**

**Next regular meeting will be November 6, 2007 at 5:00 pm Eastern Time at Fleming County Courthouse Annex, 201 Court Square, Flemingsburg, Kentucky.**

**Adjournment**

A motion was made to adjourn the meeting at 7:08 pm Eastern time. Motion by Judge Stockton Wood. Seconded by David DeAtley. All in favor.